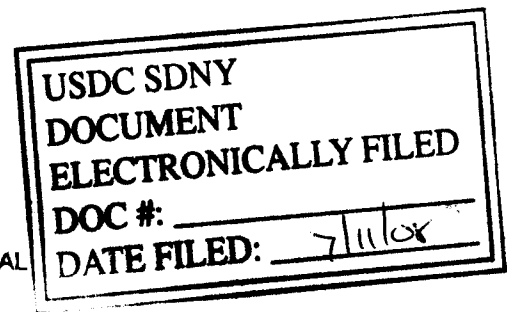




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
ATTORNEY GENERAL

CRIMINAL DIVISION
FEDERAL HABEAS CORPUS SECTION

July 9, 2008

VIA FACSIMILE

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 615
New York, NY 10007

MEMO ENDORSED

Re: Charles Wynn v. John B. Lempke
08 CV 3894 (RJS)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for respondent in the above-referenced habeas corpus proceeding. I respectfully request an extension of time to respond to the petition for a writ of habeas corpus from July 14, 2008 to September 12, 2008.

In Your Honor's Order dated May 15, 2008, you ordered that my office file its response by June 9, 2008. However, our unit is operating under a 20 percent staffing reduction, which has caused an increase in our caseload. As a result, my caseload includes three habeas petition responses due over the next two weeks. Moreover, I expect to be out of the office for a portion of next month due to scheduled vacation. Therefore, I am respectfully requesting an extension of time until September 12, 2008, to respond to the petition. This is my first request for an extension.

I thank the Court for its consideration to this matter.

Respondent's request is granted. Respondent shall respond to the petition for writ of habeas corpus by September 12, 2008. No further extensions will be granted absent truly compelling circumstances.

Respectfully submitted,

Priscilla Steward
Assistant Attorney General
Federal Habeas Corpus Section
(212) 416-8737

7/9/08
J. SULLIVAN
USDC

cc: Charles Wynn
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